

Aug 26, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MICHAEL CHRISTIAN
RADVANYI,

Plaintiff,

v.

OFFICER DURKIN, SGT PURCELL
and NON-KNOWN OFFICER,

Defendants.

No. 2:19-cv-00369-SMJ

ORDER OF DISMISSAL

On May 4, 2020, the Court directed *pro se* Plaintiff Michael Christian Radvanyi to amend or voluntarily dismiss his complaint. ECF No. 17. The same day, the Court granted him leave to proceed *in forma pauperis*, but without the obligation to pay the full filing fee. ECF No. 16. Plaintiff had filed this action on October 28, 2019, while a pretrial detainee at Spokane County Detention Services. ECF No. 1. He was subsequently released from incarceration. ECF Nos. 11, 12 & 13.

Mail addressed to Plaintiff at the last address he provided was returned as undeliverable on August 26, 2020. ECF No. 18. Although informed of the requirement to keep the Court apprised of his current address, ECF No. 4, Plaintiff

1 has failed to do so.

2 The Court may dismiss an action if mail directed to a *pro se* plaintiff has been
3 returned by the Postal Service and the plaintiff fails to notify the Court and opposing
4 parties within sixty days thereafter of his current mailing address. LCivR 41(b)(2),
5 Local Civil Rules for the Eastern District of Washington.

6 The Court has an interest in managing its docket and in the prompt resolution
7 of civil matters. *See Destfino v. Reiswig*, 630 F.3d 952, 959 (9th Cir. 2011)
8 (affirming district court's inherent power to control its docket); *see also Pagtalunan*
9 *v. Galaza*, 291 F.3d 639, 642-44 (9th Cir. 2002) (discussing factors to consider in
10 dismissing claim for failure to prosecute or failure to comply with court order,
11 including the public's interest in expeditious resolution, the court's need to manage
12 docket, and the risk of prejudice to defendants).

13 Accordingly, **IT IS HEREBY ORDERED:**

14 **1.** This action is **DISMISSED WITHOUT PREJUDICE** pursuant to
15 LCivR 41(b)(2).

16 **2.** The Clerk's Office is directed to **ENTER JUDGMENT** and **CLOSE**
17 this file.

18 //


19 //

20 //

1 **3.** The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal
2 of this Order could not be taken in good faith and would lack an
3 arguable basis in law or fact.

4 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
5 forward a copy to *pro se* Plaintiff at his last known address.

6 **DATED** this 26th day of August 2020.

7
8 
9 _____
 SALVADOR MENDOZA, JR.
 United States District Judge